

C.O.R.I.

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CRIMINAL OFFENDER RECORD INFORMATION (C.O.R.I.)

STOW POLICE DEPARTMENT POLICY & PROCEDURE NO. <p style="text-align: center;">4.07</p>	ISSUE DATE: _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: None	EFFECTIVE DATE: _____
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I. GENERAL INFORMATION AND GUIDELINES

The Massachusetts Criminal History Systems Board (CHSB) provides for and exercises control over the installation, operation and maintenance of the data processing and data communication systems known as the Criminal Offender Record Information (CORI) system. The purpose of this system is to ensure the prompt collection, exchange, dissemination and distribution of CORI as may be necessary for the efficient administration and operation of criminal justice agencies, and to connect such systems directly or indirectly with similar systems in Massachusetts or other states.

The regulations concerning the dissemination of Criminal Offender Record Information change periodically and officers should make every effort to stay familiar with changes in this very important field.

II. POLICY

It is the policy of this department to:

- A. Have access to the Criminal Justice Information System and make CORI data gathered by the department available to the System;

- B. Make CORI data maintained by the department available, upon request, to those persons authorized by statute to receive it; and
- C. Protect the privacy interests of defendants while balancing the public's right to know with the need for effective law enforcement.

III. DEFINITIONS

- A. *Criminal History Systems Board (CHSB)*: The CHSB consists of eighteen members and provides for and exercises control over the installation, operation and maintenance of processing and data communication systems, the Criminal Offender Record Information System and other duties as provided in 803 CMR.
- B. *Criminal Justice Agency*: A state or federal court with criminal jurisdiction or a juvenile court; state, county or local police; any government agency which incarcerates or rehabilitates juvenile offenders as its principal function; or any government agency which has primary responsibility to perform duties relating to:
 - 1. Crime prevention, including research or the sponsorship of research;
 - 2. The apprehension, prosecution, defense, adjudication, incarceration, or rehabilitation of criminal offenders; or
 - 3. The collection, storage, dissemination or usage of CORI.
- C. *Criminal Justice Information System (CJIS)*: The computer system maintained by the CHSB which contains criminal justice information, including criminal histories, records of wanted persons and stolen property, judicial restraining orders, and missing persons.
- D. *Criminal Offender Record Information (CORI)*: Records and data in any communicable form compiled by a criminal justice agency which concern an identifiable individual and relate to the following:
 - The nature and disposition of a criminal charge;
 - An arrest;
 - A pretrial proceeding;
 - Other judicial proceedings;
 - Sentencing;
 - Incarceration;
 - Rehabilitation; or
 - Release.

Such information shall be restricted to that recorded as a result of the initiation of criminal proceedings or any consequent proceedings related thereto.

CORI shall not include:

- Evaluation information;
- Statistical and analytical reports;
- Files in which individuals are not directly or indirectly identifiable;
- Intelligence information;
- Criminal offenses or acts of delinquency committed by any person before attaining the age of seventeen, provided, however, that if a person under the age of seventeen is adjudicated as an adult, information relating to such criminal offense shall be CORI; or
- Any offenses which are not punishable by incarceration.

E. Dissemination: The release of CORI in any communicable form.

F. Evaluative Information: Records, data, or reports concerning identifiable individuals charged with a crime and compiled by criminal justice agencies which appraise mental conditions, physical conditions, extent of social adjustment, rehabilitative progress, and the like which are primarily used in connection with bail, pretrial, or post-trial release proceedings, sentencing, correctional and rehabilitative planning, probation, or parole. (Such information is not included in CORI but its dissemination is restricted by 803 CMR and M.G.L. c. 6, s. 172 and s. 178.)

G. Intelligence Information: Records and data compiled by a criminal justice agency for the purposes of criminal investigations, including reports of informants, investigators, or other persons or any type of surveillance associated with an identifiable individual. Such information is not included in the definition of CORI.

IV. PROCEDURES

A. Administrative Procedures

1. This department maintains direct terminal access to the Criminal Justice Information System (CJIS) and, through that gateway, the Board of Probation. See the department policy on ***Communications***.
2. Only those officers and employees of the department as determined by the Police Chief to require CORI for the actual performance of their criminal justice duties shall have access to CORI. See the department policy on ***Communications***.
3. The department shall maintain a list of CORI disseminated (CORI Log) and the individuals and agencies to whom it has released or communicated CORI

information. These listings shall be maintained for at least one year after the date of dissemination and shall be made available for inspection by the CHSB. This log will be kept in the CAD system and given a unique call number for each dissemination.

B. CORI Inclusions and Exclusions

1. INCLUSIONS

- a. PHOTOGRAPHS AND FINGERPRINTS: CORI includes fingerprints, photographs, and other identification data which is recorded as the result of criminal proceedings.
- b. However, such information may be released if used for investigative purposes if the individual is not identified.

2. EXCLUSIONS

- a. STATISTICAL RECORDS AND REPORTS: CORI shall not include statistical data in which individuals are not identified and from which identities are not ascertainable.
- b. JUVENILE DATA: No information concerning a person under eighteen years of age is CORI unless that person is adjudicated a youthful offender under G.L. c. 119, s. 58.
- c. EVALUATIVE INFORMATION: CORI excludes evaluative information. The access to and utilization of evaluative information is governed by 803 CMR 204.
- d. INTELLIGENCE INFORMATION: CORI excludes intelligence information.
- e. MINOR OFFENSES: CORI excludes minor offenses (offenses not punishable by incarceration).

C. Public Release of C.O.R.I.

1. DECEASED PERSONS: An individual's privacy rights pursuant to the CORI statute end when the person dies. The department may disseminate CORI on a deceased person upon proof of death (e.g., death certificate, appointment of estate administrator, executor, executrix, etc.).
2. CRIMINAL INVESTIGATION: 803CMR2.04 allows a criminal justice agency to disclose CORI to a crime victim during an investigation if that disclosure is necessary for the actual performance of their criminal justice duties.
3. SEARCH FOR A PERSON: CORI that is specifically related and contemporaneous to the search for a person may be disclosed to aid in the search for or apprehension of that person (i.e., release of a booking photo).

4. PUBLIC RECORDS: For further information regarding the release of public records, see the department policy on **Records Requests**.

D. Access to CORI by the Subject of That Record

1. Under most circumstances, individuals have a right to review their own criminal history records, which can be requested online through the Department of Criminal Justice Information Services.
2. Individuals may also authorize others to view such records.
3. For more information regarding an individual's access to his or her own C.O.R.I., see the department policy on **Records Requests**.

E. Access to CORI – Certified Agencies and Individuals

1. CORI and evaluative information may be provided to agencies and individuals certified by the CHSB.
2. Individual with access to DCJIS will take and pass the certification test once every two years.
3. Upon any changes in Department Head, CJIS Rep, or CJIS Back-up Rep. DCJIS will be informed with a new signed user agreement within ten days.
4. All Employees will be fingerprinted upon starting employment with the Stow Police Department, and once every five years there after.
5. Computers with CJIS access will have the screen saver enabled and activated after 1 minute of down time, when activated the screen saver must be password protected
6. Mobile Laptops in the cruiser will have the screen saver enabled and activated after 5 minutes of down time, when activated the screen saver must be password protected
7. For further information, see the department policy on **Records Requests**.